

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

**NAPOLEON GRAY,**

**Plaintiff,**

**v.**

**PRESIDENT GEORGE W. BUSH,  
*et al.,***

**Defendant.**

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**No. 5:20-cv-00365-MTT-MSH**

**ORDER**

Plaintiff Napoleon Gray, a prisoner in Rutledge State Prison in Columbus, Georgia, filed a handwritten document, which was docketed in this Court as a complaint under 42 U.S.C. § 1983. Compl., ECF No. 1. Thereafter, mail sent to Plaintiff at Rutledge State Prison, the only address on file for Plaintiff, was returned to this Court as undeliverable. Mail Returned, ECF No. 3. Plaintiff's failure to keep the Court apprised of his current address constitutes a failure to prosecute this case, and insofar as this Court has no information as to Plaintiff's current whereabouts, this action cannot proceed.

Thus, the United States Magistrate Judge ordered Plaintiff to show cause why this case should not be dismissed based on Plaintiff's failure to keep the Court apprised of his current address. Order to Show Cause, ECF No. 4. Plaintiff was given twenty-one days to file his response and was cautioned that his failure to do so would result in the dismissal of this action. That order was also returned to this Court as undeliverable, Mail Returned, ECF No. 5, and Plaintiff has not responded or otherwise acted to prosecute this case.

Because Plaintiff has failed to respond to the Court's orders and has otherwise failed

to prosecute this case, it is hereby **ORDERED** that Plaintiff's complaint be **DISMISSED WITHOUT PREJUDICE**. See Fed. R. Civ. P. 41(b); *Brown v. Tallahassee Police Dep't*, 205 F. App'x 802, 802 (11th Cir. 2006) (per curiam) ("The court may dismiss an action *sua sponte* under Rule 41(b) for failure to prosecute or failure to obey a court order.") (citing Fed. R. Civ. P. 41(b) and *Lopez v. Aransas Cty. Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir. 1978)).

**SO ORDERED**, this 18<sup>th</sup> day of November, 2020.

S/ Marc T. Treadwell  
MARC T. TREADWELL, CHIEF JUDGE  
UNITED STATES DISTRICT COURT